

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 109 City Council Regular Meeting, Thursday, August 4, 1994, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

JAMES A. PETROSINELLI

IN CITY COUNCIL
NOV 17 1994

APPROVED:

Jean M. Angelone CLERK

ROLL CALL

Present: Council President Petrosinelli,
Councilmen Clarkin, DeLuca, Dillon, Coun-
cilwomen DiRuzzo, Fagnoli, Councilmen
Fenton, Glavin, Igliozi, Lombardi, Mancini,
Councilwoman Nolan, Councilman Rollins,
and Councilwomen Williams and Young—
15.

Absent: None.

INVOCATION

The Invocation is given by COUNCILWOMAN RITA M. WILLIAMS.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN DAVID G. DILLON leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

VETOS BY HIS HONOR THE MAYOR

Communication dated July 27, 1994, Informing the Honorable City Council that pursuant to Sections 302(f) and 412 of the Providence Home Rule Charter of 1980, he hereby disapproves and vetoes Section 6 of the Ordinance Making an Appropriation of Three Hundred Ten Million, Six Hundred Seventeen Thousand, Nine Hundred Ninety Dollars (\$310,617,990.00) for the Fiscal Year ending June 30, 1995, as amended.

Communication Received and Veto Overridden, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—15.

Noes: None.

Absent: None.

The motion to Override the Veto, is Sustained.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated July 28, 1994 Informing the Honorable City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and Public Laws, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day reappointing Mr. Lloyd Granoff of 470 Rochambeau Avenue, Providence, Rhode Island, as a Member of the Providence Public Building Authority for a term expiring in July, 1999 and respectfully submits the same for approval.

Communication dated July 28, 1994 Informing the Honorable City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, he is this day reappointing Ms. Nancy Ann Lopez of 446 Chalkstone Avenue, Providence, Rhode Island, 02908, as a Member of the Providence Housing Authority as a Tenant Commissioner, for a term expiring in July, 1999.

Communications Severally Received and Reappointments Collectively Referred to

Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Receive and Refer, is Sustained.

Communication dated June 30, 1994, Informing the Honorable City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Matthew A. Brown of 12 Pratt Street, Providence, Rhode Island, 02906, as a Member of the Human Relations Commission for a term expiring in January, 1996 and respectfully submits the same for your approval. Mr. Brown will fill the unexpired term of Mr. Arthur Pullano who has resigned.

Received.

SCHEDULE OF BILLS

FROM CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for June, 1994 in the amount of One Hundred Twenty-Two Thousand, Six Hundred Eighty-Two Dollars, Seventy-Eight Cents (\$122,682.78).

Approved, on motion of COUNCILMAN

GLAVIN, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—15.

Noes: None.

The motion for Approval, is Sustained.

Absent: None.

PRESENTATION OF ORDINANCES

COUNCILMAN CLARKIN:

An Ordinance Prohibiting the Sale of Lottery Tickets at any establishment other than a Permanent Location in a Commercially Zoned Area.

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

An Ordinance in Amendment of Section 17-189 of the Code of Ordinances regarding allowance on Accidental Disability Retirement.

COUNCILWOMAN FARGNOLI and COUNCILMAN MANCINI (By Request):

An Ordinance making an Appropriation of Twenty-Nine Million, Five Thousand, Ninety-Four Dollars (\$29,005,094.00) for the Support of the Providence Water Supply Board for the Fiscal Year ending June 30, 1995.

COUNCILMAN DILLON:

An Ordinance in Amendment of and in addition to Chapter 1979-26 of the Ordinances of the City of Providence, approved June 22, 1979, and entitled: "An Ordinance approving and adopting the Official Redevelopment Plan for the West End Project" for additional acquisition and project improvements..

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

An Ordinance making an Appropriation of Sixteen Million, Two Hundred Thirty-Eight Thousand, Nine Hundred Seventy-Four Dollars (\$16,238,974.00) for the Water Supply Board Capital Fund for the Fiscal Year ending June 30, 1995.

An Ordinance making an Appropriation of One Hundred Sixty-Three Thousand, Nine Hundred Thirty-Four Dollars (\$163,934.00) for the Water Supply Board Conservation Fund for the Fiscal Year ending June 30, 1995.

An Ordinance making an Appropriation of One Million, Ninety-Three Thousand Dollars (\$1,093,000.00) for the Water Supply Board Insurance Fund for the Fiscal Year ending June 30, 1995.

ance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

An Ordinance making an Appropriation of Two Million, Two Hundred Eighty Thousand, Four Hundred Eighty-Six Dollars (\$2,280,486.00) for the Water Supply Board Water Quality Protection Fund for the Fiscal Year ending June 30, 1995.

COUNCILMAN IGLIOZZI:

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, approved June 27, 1994.

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Water Supply Board and Repealing Ordinance Chapter 1993-37, approved October 29, 1993.

COUNCILMAN ROLLINS and COUNCILMAN DILLON:

An Ordinance in Amendment of and in addition to Chapter 1977-5 of the Ordinances of the City of Providence approved February 14, 1977, and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal".

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1993-36, approved October 29, 1993, as Amended.

An Ordinance Relative to the Master Lease for the Water Supply Board.

Severally Referred to Committee on Fin-

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PETROSINELLI
(By Request):

on motion of **COUNCILMAN GLAVIN**,
seconded by **COUNCILMAN LOMBARDI**.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a Street Light on Pole No. 2, located along Flora Street.

The motion for Passage, is Sustained.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a Street Light on Pole No. 2, located along Flora Street.

COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILMAN FENTON and COUNCILWOMAN YOUNG:

Resolution Requesting the Chief Electrical Inspector to cause the installation of a Street Light on Pole No. 1, located along Newbury Street.

Resolution Requesting the Secretary of State to submit to the Electors of the City of Providence at the General Election of November 8, 1994, a question regarding an amendment of Section 908 of the Providence Home Rule Charter of 1980 entitled "Retirement Board".

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a Street Light on Pole No. 1, located along Newbury Street.

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

Severally Read and Collectively Passed,

The motion to Refer, is Sustained.

PERSONAL PRIVILEGE

COUNCILMAN CLARKIN requests the Privilege of the Floor to Speak on a point of personal privilege and states:

Pension to a person that a City Doctor said was ok to go back to work.

"On July 28th, the Leader of the I.A.F.F., the International Association of Fraudulent Flimflammers said that the City was raiding the Pension System. He said that while relating to the City's Plan to defer paying 8 Million Dollars into the System. He said that we were raiding the system and then he votes to grant a Pension, a Disability

Let me ask you, who is raiding the Pension System? It is he and his phonies who are ripping the taxpayers off each year. It is this Union Leader and those that he allows to swindle the Taxpayers with these phony Disabilities.

This Union Leader and I don't agree on much, but I do agree with him that the System is being

raided and he is the raider. He is the biggest Flimflamer. He has cost this City millions upon millions of dollars and he has allowed the Pension System to be raped.

There is an old adage, it says that you can fool all the people some of the time, some of the people

all of the time, but you can't fool all of the people all of the time. They may have fooled the people with their "No New Taxes" last time, but I think that they have fooled the people for the last time. Put this Retirement Bill on the Ballot."

PRESENTATION OF RESOLUTIONS

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the installation of Sodium Vapor Lights along Sisson Street at Lavaughn Street.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of Sodium Vapor Lights along Sisson Street at Lavaughn Street.

COUNCILMAN DILLON and COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Whitmarsh Street, from Bucklin Street to Elmwood Avenue, on Saturday, August 20, 1994, between the hours of 12:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Whitmarsh Street, from Bucklin Street to Elmwood Avenue, on Saturday, August 20, 1994, between the hours of 12:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

COUNCILMAN DILLON (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Waldo Street, from Sorrento Street to Salvati Way on Saturday, August 6, 1994, between the hours of 12:00 o'clock P.M. to 6:00 o'clock P.M. for a Neighborhood Block Party.

Resolved, That the the Traffic Engineer is requested to prohibit motor vehicle traffic along Waldo Street, from Sorrento Street to Salvati Way on Saturday, August 6, 1994, between the hours of 12:00 o'clock P.M. to 6:00 o'clock P.M. for a Neighborhood Block Party.

COUNCIL PRESIDENT PETROSINELLI, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILWOMAN FARGNOLI, COUNCILMAN FENTON, COUNCILMAN GLAVIN, COUNCILMAN IGLOZZI, COUNCILMAN LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILMAN ROLLINS, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution Declaring that July 28, 1994, be recognized as Parents' Day.

Whereas, The values of sacrificial love and integrity are fundamental in developing the moral character essential to maintaining a strong Nation, and

Whereas, Parents by their example of sacrificial love and the transmission of moral and cultural values play a crucial and determinant role in the development of youth, and

Whereas, Time has demonstrated that the traditional American family is the most stable and secure environment in which parents can successfully rear future generations, and

Whereas, The current breakdown of the traditional American family is a major factor contributing to the rise of crime, teen pregnancy, educational failure, substance abuse, and suicide among our Nation's youth, and

Whereas, It is in the interest of Society and Government to adopt policies to help families stay together by strengthening and sustaining fathers and mothers in fulfilling their parental roles,

Now, Therefore, Be It Resolved, That on Parents Day, July 28, 1994, all private citizens, organizations and Governmental and Legislative bodies at the Local, State and Federal Level, are encouraged to recognize this day through Proclamations, activities and educational efforts in the furtherance of recognizing, uplifting and supporting the role of parents in the rearing of their children.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage, is Sustained.

COUNCILWOMAN FARGNOLI and COUNCILMAN MANCINI (By Request):

Resolution Requesting a Charter Amendment be

placed before the Voters relative to Article XIII and Section 1301 of the Providence Home Rule Charter relative to opposing any Sale of the Providence Water Supply Board.

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

COUNCILWOMAN FARGNOLI, COUNCILMAN GLAVIN, COUNCILMAN MANCINI and COUNCILMAN FENTON (By Request):

Resolution in Recognition of Duffy Dwyer Appreciation Day, Saturday, August 6, 1994.

Whereas, Duffy Dwyer known to all of us as "The Phantom Friar" began this identity in 1986 at the Big East Tournament in Madison Square Garden, and

Whereas, "The Phantom Friar" became known to all of New England and most of the College Basketball World as the unofficial PC Mascott, and

Whereas, Duffy Dwyer is one of those people who is impossible not to like, a big, warm-hearted man with the special ability to make everyone around him feel a little better, and

Whereas, His knack of making people feel better began years ago, when he used to put on a Santa Claus outfit and visit everyone's neices and nephews and read to the kids in the neighborhood, and

Whereas, During his tenure as "The Phantom Friar" while getting the PC Basketball fans revved up during games, home and away, it was unbeknownst to him that he would one day win a National Contest as "America's Nuttiest Sports Nut" and

Whereas, Duffy has had a medical set back and some of his friends are planning an Appreciation Day on Saturday, August 6, 1994 at the Peterson Recreation Center on the PC Campus, and

Whereas, All those people he got to stand up at the Civic Center and rally around PC should now rally around Duffy Dwyer "The Phantom Friar",

Now, Therefore, Be It Resolved, That the Members of Providence City Council do hereby rally around Duffy by wishing all the best and hapiness.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage, is Sustained.

COUNCILWOMAN FARGNOLI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Pleasant Valley Parkway, near Justice Street, on Tuesday, August 2, 1994, between the hours of 6:00 o'clock P.M. and 9:00 o'clock P.M. as requested by the Mount Pleasant Crime Watch.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pleasant Valley Parkway, near Justice Street, on Tuesday, August 2, 1994, between the hours of 6:00 o'clock P.M. and 9:00 o'clock P.M. as requested by the Mount Pleasant Crime Watch.

COUNCILMAN GLAVIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Jefferson

Street, from Orms Street to Common Street, on Sunday, July 31, 1994 between the hours of 11:00 o'clock A.M. to 7:00 o'clock P.M. to accommodate the Annual Picnic of the Saint Sahag and Mesrob Armenian Apostolic Church.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Jefferson Street, from Orms Street to Common Street, on Sunday, July 31, 1994 between the hours of 11:00 o'clock A.M. to 7:00 o'clock P.M. to accommodate the Annual Picnic of the Saint Sahag and Mesrob Armenian Apostolic Church.

COUNCILMAN IGLIOZZI:

Resolution Requesting the Traffic Engineer to cause the installation of "Slow-Children" Signs along Petteys Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Slow-Children" Signs along Petteys Avenue.

Resolution Requesting the Director of Recreation to cause the field behind Oliver Hazard Perry Middle School to be restricted for School Use Only.

Resolved, That the Director of Recreation is requested to cause the field behind Oliver Hazard Perry Middle School to be restricted for School Use Only.

This Resolution rescinds Resolution No. 273, approved May 16, 1994.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of "Do Not Enter" Signs along Dexter Street, from Division Street to Hollywood Road every Sunday between the hours of 8:00 o'clock A.M. to 12:00 o'clock P.M., as requested by the Hmong Evangelical Church.

Resolved, That the Traffic Engineer is requested to cause the installation of "Do Not Enter" Signs along Dexter Street, from Division Street to Hollywood Road every Sunday between the hours of 8:00 o'clock A.M. to 12:00 o'clock P.M., as requested by the Hmong Evangelical Church.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of "Slow-Children" Signs along Stansbury Street at its intersection with Grand Broadway.

Resolved, That the Traffic Engineer is requested to cause the installation of "Slow-Children" Signs along Stansbury Street at its intersection with Grand Broadway.

Resolution Requesting the Chief of Police to cause Radar Detectors to be Posted in the Area of Academy Avenue between Eaton Street and Mink Road.

Resolved, That the Chief of Police is requested to cause Radar Detectors to be Posted in the Area of Academy Avenue between Eaton Street and Mink Road.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage, is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Thru Trucking" Signs at the intersection of River Avenue and Bradley Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Thru Trucking" Signs at the intersection of River Avenue and Bradley Street.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to conduct a traffic study along Montgomery Avenue, between Broad Street and the entrance to Roger Williams Park.

Resolved, That the Traffic Engineer is requested to conduct a traffic study along Montgomery Avenue, between Broad Street and the entrance to Roger Williams Park.

COUNCILWOMAN NOLAN:

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Gallatin Street, from Elmwood Avenue to Melrose Street and also block off Kipling Street and Ruskin Street, on Saturday, August 13, 1994, between the hours of 9:00 o'clock A.M. to 8:00 o'clock P.M. for a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gallatin Street, from Elmwood Avenue to Melrose Street and also block off Kipling Street and Ruskin

Street, on Saturday, August 13, 1994, between the hours of 9:00 o'clock A.M. to 8:00 o'clock P.M. for a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to cause the installation of "Slow-Children" Signs along Potters Avenue, from Eddy Street to Ocean Street.

COUNCILMAN ROLLINS (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicapped" Parking Sign along 245 Sayles Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Handicapped" Parking Sign along 245 Sayles Street.

Resolution Requesting the Traffic Engineer to cause the installation of "Slow-Children" Signs along Gallup Street, from Braod Street to Prairie Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Slow-Children" Signs along Gallup Street, from Braod Street to Prairie Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicapped" Parking Sign along 23-25 Temple Street/Temple Court.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Handicapped" Parking Sign along 23-25 Temple Street/Temple Court.

Resolution Requesting the Traffic Engineer to cause the installation of "Slow-Children" Signs along Briggs Street, from Ocean Street to Cahill Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Slow-Children" Signs along Briggs Street, from Ocean Street to Cahill Street.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs along Reeder Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs along Reeder Street.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Brenton Avenue, from Olney Street to Montague Street on Sunday, September 18, 1994 between the hours of 4:00 o'clock P.M. to 7:00 o'clock P.M. for a Neighborhood Block Party.

Resolution Requesting the Traffic Engineer to cause the installation of "Slow-Children" Signs along Potters Avenue, from Eddy Street to Ocean Street.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Brenton Avenue, from Olney Street to Montague Street on Sunday, September 18, 1994 between the hours

of 4:00 o'clock P.M. to 7:00 o'clock P.M. for a Neighborhood Block Party.

COUNCILWOMAN WILLIAMS:

Resolution Revising the make-up of members to the Education Committee.

Whereas, The Education Committee has been in existence since March, 1993, and

Whereas, The size of the Committee (11 members) has made it difficult, given the busy schedules of some of its members for the Committee to consistently have a quorum,

Now, Therefore, Be It Resolved, That the Education Committee will consist of the following members:

2 City Council Members

1 School Board Member

(1 alternate appt.)

1 Parent

(1 alternate appt.)

1 School Superintendent or his designee

1 Teachers Union President or her designee

1 Mayor's Office Representative

7 TOTAL

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Portland

Street, from Hayward Street to Pine Street on Friday, August 19, 1994, between the hours of 1:00 o'clock P.M. to 4:30 o'clock P.M. to accommodate the Barbara Jordan Tenants' Association Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Portland Street, from Hayward Street to Pine Street on Friday, August 19, 1994, between the hours of 1:00 o'clock P.M. to 4:30 o'clock P.M. to accommodate the Barbara Jordan Tenants' Association Neighborhood Block Party.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage, is Sustained.

COUNCILWOMAN YOUNG:

Resolution Naming and/or Dedicating an area in or on the grounds of the Alan Shawn Feinstein School in honor of Councilwoman Patricia K. Nolan for her dedication, perserverance and hard work in establishing said School.

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer, is Sustained.

Resolution Requesting the Chief Electrical Inspector to upgrade the Street Lighting along Portland Street.

Resolved, That the Chief Electrical Inspector is requested to upgrade the Street Lighting along Portland Street.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DeLUCA.

The motion for Passage, is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation the Same be Severally Approved:

Resolution Authorizing the Installation of Gasoline Facilities for Merit Oil Corporation located at 396 Elmwood Avenue, Providence, Rhode Island.

Whereas, Merit Oil of Rhode Island, Inc. (hereinafter "Merit Oil") is the owner of a gasoline station located at 386 Elmwood Avenue, Providence, Rhode Island; and

Whereas, Merit Oil seeks to replace certain underground storage tanks, enlarge storage capacity to 40,600 gallons, and undertake other construction in order to modernize the station and to meet federally mandated vapor recovery regulations.

Now, Therefore, Be It Resolved, That Merit Oil is authorized to remove, replace and enlarge the underground gasoline storage and to undertake the construction of the required vapor recovery system and the improvements listed in its application of 29 June 1994, provided, however:

1. That all construction is undertaken consistently with the plans presented to the City Council Committee on Public Works and the Department of Inspection and Standards as those plans may be modified by the Department of Inspection and Standards.

2. Merit Oil shall perform any remediation of environmental damage at or originating at the situs of the station which is necessary so as to satisfy the legal requirements of any governmental body or agency.

3. In the event that the construction requires obstruction or displacement of the public way, Merit Oil shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor and shall provide insurance (or, if self-insured certificate of financial responsibility) in an amount of not less than one hundred thousand dollars (\$100,000.00) listing the City of Providence, its agents, successors, employees and assigns as additional named insureds. Such policy shall be acceptable to the City Solicitor.

4. Merit Oil does agree that by undertaking any construction pursuant to this Resolution, all statements or representation(s) are made part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statements and representation(s).

5. Such other conditions as His Honor, the Mayor; and the City Solicitor may impose thereon.

Resolution Permitting the Narragansett Electric Company to construct a Utility Bridge along the Providence Hurricane Barrier.

Whereas, The City of Providence is the owner of certain rights of easement over privately owned real estate abutting the Providence Hurricane Barrier; and

Whereas, The Narragansett Electric Company is the owner in fee of the real estate subservient to the easement; and

Whereas, Under the terms of said easement, Narragansett Electric Company may utilize the easement area provided that said use does not interfere with the integrity of the Hurricane Barrier; and

Whereas, Narragansett Electric Company seeks to construct a utility bridge over and through said easement; and

Whereas, Based upon the information supplied to the Council Committee on Public Works, it does not appear that the proposed construction will adversely impact upon the Hurricane Barrier.

It Is Resolved:

1. Narragansett Electric Company is authorized to construct a utility bridge over and through the so-called Providence Hurricane Barrier, provided, however:

(a) Narragansett Electric Company shall undertake all construction consistent with the plans submitted to the Council Committee on Public Works except to the extent those plans may be modified by the Department of Inspection and Standards.

(b) Narragansett Electric Company shall at all times maintain an insurance policy or a statement of self-insurance in an amount of not less than two million dollars (\$2,000,000.00) with "the City of Providence, its agents, successors,

employees, and assigns" as additional named insureds.

(c) Narragansett Electric Company shall execute, in a form satisfactory to the City Solicitor, an indemnification and hold harmless agreement protecting the City of Providence, its agents, successors, employees, and assigns, from any claim or demand arising out of the design, construction, maintenance or existence of said utility bridge.

2. Narragansett Electric Company, by undertaking construction pursuant to this Resolution, agrees it is restricted in any such construction to such conditions as may have been imposed by the City Council, or may be imposed by His Honor, the Mayor; and the Department of Law.

Resolution Authorizing His Honor the Mayor to execute certain documents so as to adjust existing municipal easements at the Silver Spring Industrial Park.

Whereas, New Horizons of Buckner, Inc. (hereinafter "Horizons") is the owner in fee of certain real estate located in the City of Providence (Assessor's Plat 1, Lots 75, 79, 84 and 85 and Assessor's Plat 72, Lots 531 and 540) upon which said Horizons wishes to erect a merchandising outlet; and

Whereas, The City of Providence is the holder of certain rights of easements for sewers, slope and the maintenance of such sewers and slope. Such easements run over, under and through the real estate owned by Horizons; and

Whereas, The City of Providence requires the continued rights of easement so as to provide sanitary services to the citizens and to provide lateral support for Silver Spring Street, a public thoroughfare; and

Whereas, The Horizon's proposal necessitates the siting of the proposed improvements above and over the sewer and combination lines, and offers opportunity to renew and redescribe the slope easement.,

Now, Therefore, Be It Resolved, That His Honor, the Mayor, or his designee(s), is authorized to negotiate and execute those documents necessary to allow the reconstruction and relocation of those sewers presently upon the Horizon property; and to redefine the sewer and slope easements that presently exist. Said authority, subject to such conditions as may be imposed by His Honor, the Mayor; and the City Solicitor is conditioned upon the following:

1. Horizons shall bear all costs associated with the relocation and reconstruction of the sewers.
2. Horizons shall bear all costs associated with the regrading of the slope to Silver Spring Street.
3. The Department of Public Works shall, in writing, give approval to the plans for relocation, reconstruction and regrading.
4. Horizons shall, upon completion of the construction, relocation and regrading, file "as built" plans with the Department of Public Works.
5. Horizons shall undertake all construction in a manner consistent with the plans submitted to the Council Committee on Public Works except to the extent those plans may be modified by the Department of Inspection and Standards.
6. Horizons shall bear sole responsibility for the maintenance in good working order for those sections of the relocated/reconstructed or existing sewers from a mutually agreed point beyond the improvements to the real estate through the siphon pump.
7. Horizons shall bear responsibility for the

decorative maintenance of the regraded slope easement.

8. Horizons shall execute indemnification and hold harmless agreements, in a form satisfactory to the City Solicitor, with respect to subparagraph 6 above. Additionally, Horizons shall execute, in a form suitable to the City Solicitor, an indemnification and hold harmless agreement protecting the City of Providence, its agents, successors, employees and assigns, from claims or demands arising out of the reconstruction/relocation and regrading and from any damage to existing sewers.

9. Horizons shall obtain and maintain a certificate of insurance (or, in the event of self-insurance, a statement of financial responsibility) in an amount to be determined appropriate by the City Solicitor and in a form satisfactory to the Solicitor.

10. The rights and obligations contained herein shall be deemed to run with the land and appropriate documents shall be recorded in the Office of Land Evidence so as to evidence the same.

11. Nothing contained herein is intended to abrogate or modify earlier rights of easement granted to the Narragansett Bay Commission.

12. Horizons, by undertaking any construction authorized herein, does explicitly agree that all representations made to the City Council Committee on Public Works are made a part hereof.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DeLUCA.

The motion for Passage, is Sustained.

**COUNCILMAN DAVID G. DILLON, Chairman
COMMITTEE ON FINANCE**

Transmits the following with Recommendation the Same be Adopted:

An Ordinance in Amendment of Section 2-23 of the Code of Ordinances entitled "Salaries of Councilmen", as amended.

Read and Passed, the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwoman DiRuzzo, Councilmen Glavin, Lombardi, Mancini, Councilwoman Nolan,

Councilman Rollins, Councilwomen Williams and Young—12.

Noes: Councilwoman Fagnoli, Councilmen Fenton and Igliozi—3.

Absent: None.

The motion for Passage, the First Time, is Sustained.

Transmits the following with Recommendation the Same be Approved:

Resolution Approving the Nomination of Sidney Green to the Providence Review Commission.

Resolved, That the Members of the City Council hereby approve the Nomination of Sidney Green to the Providence Review Commission.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage, is Sustained.

Transmits the following with Recommendation the Same be Received:

Report on the 66th Valuation of the Employees; Retirement System of the City of Providence as of June 30, 1993.

Received.

**COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman
COMMITTEE ON CLAIMS AND PENDING SUITS**

Transmits the following with Recommendation the Same be Severally Approved for Cancellation:

Certificates from the City Assessor (Nos. 24X through 25X) recommending the same be Severally Cancelled pursuant to the provisions of sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

Severally Approved for Cancellation, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Coun-

cilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—14.

Noes: None.

Absent: Councilman Lombardi—1.

The motion to Approve for Cancellation, is Sustained.

**COUNCILMAN DAVID V. IGLIOZZI, Chairman
COMMITTEE ON ORDINANCES**

and

**COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman
COMMITTEE ON CLAIMS AND PENDING SUITS**

Jointly Transmit the following with Recommendation the Same be Adopted as Amended:

An Ordinance Amending Section 2-99 of the Code of Ordinances of the City of Providence entitled: "Authority Delegated to City Solicitor to Settle Small Claims" as Amended.

Read and Passed, the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Mancini, Councilwomen Nolan, Williams and Young—13.

Noes: None.

Absent: Councilmen Lombardi and Rollins—2.

The motion for Passage, the First Time, is Sustained.

COMMUNICATIONS AND REPORTS

Report from the Board of Licenses of all money received for the quarter ending June 30, 1994.

Received.

COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer, is Sustained.

Report from the Board of Licenses of all monies received for the Fiscal Year 1993-1994 ending June 30, 1994.

Received.

Communication dated July 15, 1994, from Thomas E. Deller, Deputy Director of the Providence Redevelopment Agency, Informing the City Council that they would like to Waive Restrictions pertaining to use of the West River project.

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI.

The motion to Refer, is Sustained.

Monthly Financial Reports from the City Controller for the month of May, 1994, in accordance with Section 813 (b8) of the Providence Home Rule Charter of 1980.

Received.

Certificates from the City Collector (Nos. 17, 18 and 19) Recommending Cancellation of Tangible Excise Taxes for the Years 1984 through 1993 pursuant to the provisions of Section 44-7-14 of the General Laws of the State of Rhode Island, 1956 as Amended, inasmuch as the same have been determined to be Uncollectible.

Severally Referred to Committee on Claims and Pending Suits, on motion of

Communication from Superintendent of Schools, Arthur M. Zarella, Ped.D., dated August 1, 1994, Informing the Honorable City Council that pursuant to Section 1210 of the Providence Home Rule Charter of 1980, he is this day requesting a Waiver of the Residency Requirement for Jacqueline Estrella, 24 Lunn Street, East Providence, Rhode Island.

Communication from Superintendent of Schools, Arthur M. Zarella, Ped.D., dated August 1, 1994, Informing the Honorable City Council that pursuant to Section 1210 of the Providence Home Rule Charter of 1980, he is this day requesting a Waiver of the Residency Requirement for Linda Flemming, 108 Arthur Way, Pascoag, Rhode Island, for the position of Occupational Therapist for the Providence School Department.

Communication from Superintendent of Schools, Arthur M. Zarella, Ped.D., dated August 1, 1994, Informing the Honorable City Council that pursuant to Section 1210 of the Providence Home Rule Charter of 1980, he is this day requesting a Waiver of the Residency Requirement for Peter Stack, 550 Glen Rock Road, West Kingston, Rhode Island, for the position of

Physical Therapist for the Providence School Department.

Communication from Superintendent of Schools, Arthur M. Zarella, Ped.D., dated August 1, 1994, Informing the Honorable City Council that pursuant to Section 1210 of the Providence Home Rule Charter of 1980, he is this day requesting a Waiver of the Residency Requirement for LLda Pinto, 50 Valley Brook Drive, East Providence, Rhode Island, for the position of Bilingual Special Ed Teacher for the Providence School Department.

Severally Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN MANCINI.

The motion to Refer, is Sustained.

PETITIONS

Petition of John F. Palmieri, Executive Director/Providence Redvelopment Agency in cooperation with the Providence Plan Housing Corporation, requesting permission to abate the outstanding property taxes on certain properties in order to ensure that 21 new homes may be sold to lower income owner occupants.

Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

Petition of Herman Brewster, et als, to have electrical service brought to Conley Stadium to accommodate spectators of football and track events and the benefit of a public address system that currently does not exist at the stadium.

Referred to Committee on City Property, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz;

Ibn Munir

David and Richard Goff

Fred E. Eckstein

Liberty Insurance Co., a/s/o William E. Rotella

Lorianne Medeiros

Peter M. Benham

Meghan F. McGrath

Edna F. Mosher

Karen Medina

Lois C. King

Eusebio (Manny) Mota

Esther Walton

Marylou Davis p.p.a. Stephanie Davis

Teresa Major

Maria Ferreira

Robert J. Lizotte

Mandala Corporation

Marilyn Grieco p.p.a. Brian Martel

Richard A. Toppi

Joseph Razzino

Mary L. Ferrara

Egidia Gomes

Patricia Moriarty

Marylilian Cartwright

Sylvia A. DiNocco

Princess Jones p.p.a. James Jones

Donna Annicelli

Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN GALVIN, seconded by COUNCILMAN IGLIOZZI.

The motion to Refer, is Sustained.

PERSONAL PRIVILEGE

COUNCILMAN GLAVIN requests the Privilege of the Floor to Speak on a Point of Personal Privilege and states:

"This afternoon, on the way into the Special Council Meeting, I was listening to a local radio talk show program where a Republican Candidate

for the State Senate from East Providence was being interviewed which was part of a program to highlight individuals running for office who "have inovative or interesting new ideas".

This candidate from East Providence, unfortunately I do not remember his name, had what he considered to be a potential solution to the question of where to locate a Gambling Casino in the State of Rhode Island. This candidate went on to state that his opinion is the Federal Gaming Law will eventually allow the Narragansett Indians to build a Casino on Tribal Land despite the efforts of Governor Sundlun and others who are opposed to Gambling. It was his opinion that the Governor, representatives of the Biltmore Hotel and the Narragansett Indians should sit down and discuss the possibility of locating a Casino within the Biltmore Hotel in Downtown Providence. His reasoning was that to locate such a facility in Charlestown would disturb the "quant nature" of South County in that he felt it logically belonged in downtown Providence.

Needless to say, I was greatly disturbed by the person's attitude but I believe it is typical of many people who generally oppose locating a Casino in their town or in other portions of Rhode Island,

but have no problem whatsoever with dumping it in the City of Providence. Along with the hospitals, colleges and all the other tax exempt facilities that we have to provide services for.

Unfortunately this attitude about our City is very prevalent and is something that all of us on the Council are constantly battling even during this last session of the General Assembly when we were fighting for GSE (Guaranteed Student Entitlement) and other assistance to Providence.

I was very disturbed by this gentlemen's attitude and I would certainly urge the voters of his district not to vote for this individual. We certainly don't need one more person in the General Assembly who looks down their nose at the City of Providence.

I am opposed, and have been opposed to Casino Gambling in the City of Providence.

I would respectfully urge the candidate from East Providence to worry about his own backyard and let those of us elected to serve the people of the City of Providence do so."

PRESENTATION OF CITATIONS

"In Congratulations"

**COUNCIL PRESIDENT PETROSINELLI
and the MEMBERS of the CITY COUNCIL:**

Citations Extending Congratulations.

Resolved, That the Members of the City Council extend their sincere congratulations to the families of the following:

Brendan Doherty, Upon being promoted to the Rank of Sergeant as a Member of the Rhode Island State Police.

Mr. and Mrs. Brian Gallogly, Upon the celebration of the birth of their son, Ryan Timothy Gallogly born on July 15, 1994 weighing 6lbs 11oz. (future Councilman in Fox Point).

Mr. and Mrs. Frank Morelli, in recognition of the celebration of their 50th Wedding Anniversary.

William H. D. Goddard, in recognition of and in appreciation for his 11 years as Chairman of the Providence Port Commission.

Mr. and Mrs. Michael McHugh, in recognition of the celebration of their recent marriage.

Mr. and Mrs. John Tantimonaco, II, in recognition of the celebration of their recent marriage.

Mr. and Mrs. Rafael Martinez, in recognition of the celebration of their recent marriage.

Mr. and Mrs. Irving Keighley, in recognition of the celebration of their recent marriage.

Mr. and Mrs. Keith Thibodeau, in recognition of the celebration of their recent marriage.

Mr. and Mrs. Kim Tann, in recognition of the celebration of their recent marriage.

Mr. and Mrs. David Krawiec, in recognition of the celebration of their recent marriage.

Mr. and Mrs. William Bannister, III, in recognition of the celebration of their recent marriage.

Mr. and Mrs. Michael Savage, in recognition of the celebration of the birth of their daughter, born on April 21, 1994.

Mr. and Mrs. Raphael Hernandez, Jr., in recognition of the celebration of the birth of their daughter, born on June 19, 1994.

Mr. and Mrs. Allen Goodinson, in recognition of the celebration of the birth of their daughter, born on June 19, 1994.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI.

The motion for Passage, is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT PETROSINELLI and the MEMBERS of the CITY COUNCIL:

Resolutions Extending Sympathy.

Resolved, That the Members of the City Council extend their sincere sympathy to the families of the following:

Mary F. Schecher

Adrienne Tessier

Anita Denoncour

Domenic Tudino

Louis Joseph Catelli, Jr.

Lawrence "Larry" Izzi

Mary H. Caldarone

Edith Marinatto

Leonora Fazzano

Umberto J. "Bert" Toti

Julia M. Regan

Alida M. Pomoransky

Giovanni "Peach" Simeone

John Sgambato

Alice R. Walsh

Eva C. Solomon

Florence M. Pacheco

Domenico "Tom" D'Alessio, Sr.

Bobbie G. Smith

Florence G. Ricci

Theresa Gambardella

Donald J. Bunker

Robert E. Garvin

Anna Celona

Anthony Melise

John J. M. Quattrocchi

Kathleen Marie Nunez

Mitchell Solomon

Albert Iovino

Mafaldo "Muffy" Cafaro

Antonio C. Souza

Jennie A. Velino

Frank N. Turchetti

Anthony Calitri

Maria C. "Millie" Fiore

Louis Scungio

Michele Giarusso

Mary A. Aceto

Domenic Costabile

Catherine E. Hawkins, R.N.

**Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILMAN IGLIOZZI.**

The motion for Passage, is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DeLUCA, it is voted to adjourn at 9:00 o'clock P.M. (E.D.T.) to meet again on THURSDAY, SEPTEMBER 1, 1994 at 7:30 o'clock P.M. (E.D.T.).

Richard R. Clement

City Clerk

